

INLAND WETLAND AND
WATERCOURSES AGENCY

CERTIFIED MAIL

June 10, 2016

Mr. Joseph Scannel
1189 Prospect Avenue
West Hartford, CT 06105

SUBJECT: 1189 Prospect Avenue- IWW #1043

Dear Mr. Scannel:

At its regular meeting of Monday, June 6, 2016, the West Hartford Town Plan and Zoning Commission, acting as the Inland Wetlands and Watercourses Agency, gave consideration to the following item:

1189 Prospect Avenue - Application (IWW #1043) of Joseph Scannell, R.O. seeking approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities which may have an adverse impact on a wetland and watercourse area. The applicant seeks to install a 16'x35' in-ground pool and spa and pool code fence. (Submitted for IWWA receipt on May 2, 2016. Determined to be potentially significant and scheduled for required public hearing on June 6, 2016.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, and the public hearing record the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage; Second/Maresca) (Gillette seated for Seder) to **CONDITIONALLY APPROVE** the proposed regulated activity and to direct that a wetland permit be issued. During its discussion and deliberation on this matter, the Agency made the following findings:

1189 PROSPECT AVENUE
INLAND WETLAND APPLICATION IWW #1043
COMPLIANCE WITH SECTION 10.2 and 10.4
STANDARDS AND CRITERIA FOR DECISION

The request to conduct certain regulated activities at **1189 Prospect Avenue** in West Hartford, Connecticut pursuant to an Inland Wetland and Watercourse application IWW #1043 should be approved as the Standards and Criteria for Decision as set forth in the Inland Wetlands and Watercourses Regulations for the Town of West Hartford in Section 10.2 have been favorably met. During its discussions and deliberations on this matter, the agency made the following findings:



TOWN OF WEST HARTFORD

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ITEM NO. 24
FILE NO. 780

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TOWN COUNCIL OFFICE
West Hartford, CT

[1.] The environmental impact of the proposed regulated activity on wetlands or watercourses will not be so significant as to warrant the denial of this application. To support this action, the applicant's professional wetland and soil scientist, Michael S. Klein of Environmental Planning Services, LLC has submitted a report dated January 28, 2015.

[2.] The applicant's purpose for the proposed regulated activity is a valid and useful one which alternatives would cause less or no environmental impact to wetlands or watercourses;

[3.] The feasible and prudent alternatives to the proposed activity have been analyzed by the applicant and the proposed activity is likely to cause less or no environmental impact to wetlands or watercourses than those alternatives.

[4.] The short-term and long-term impacts of the proposed regulated activity on wetlands or watercourses are not to be so significant as to warrant denial of this application.

[5.] The long term productivity of the wetlands or watercourses will not be damaged by the approval of this application;

[6.] The proposed regulated activity will not cause irreversible and irretrievable loss of wetland or watercourse resources.

[7.] The proposed regulated activity neither threatens nor impacts the safety, health or reasonable use of property; and

[8.] The proposed regulated activity and future activities associated with or reasonably related to, the proposed regulated activities which are made inevitable by the proposed regulated activity will not have significant impacts on wetlands or watercourses outside the area for which the activity is proposed.

In addition, the Agency considered measures which would mitigate the impact of the proposed activity and may be imposed as conditions of the permit. Such measures include the availability of further technical improvements or safeguards which could feasibly be added to the plan or action to avoid the reduction of or damage to the wetland's or watercourses natural capacity to support desirable biological life, prevent flooding, supply water, control sedimentation and/or prevent erosion, assimilate wastes, facilitate drainage, and provide recreation and open space. The Agency renders its decision to issue this permit on the following considerations and criteria:

- A. That the natural functions and quality of water in local drainage systems both on and off-site shall be preserved and maintained.
- B. That the overall impact of this development on the environment will be kept to a minimum if the conditions imposed by this permit are carried out by the applicant.
- C. There are no reasonable and prudent alternatives which will allow the same activity to be carried out on the proposed site.

- D. During the period when this permit remains in force, the applicant and the Inland Wetland and Watercourses Agency will be working together in good faith to resolve any matters that may arise relative to the environmental impact on the community due to the activities of the applicant.

The Agency hereby authorizes the applicant to conduct a series of regulated activities on a parcel of land which falls under the jurisdiction of the Inland Wetlands and Watercourse Act of the Connecticut General Statutes and the Inland Wetlands and Watercourses Regulations of the Town of West Hartford. Said parcel of land is located **1189 Prospect Avenue.**

This permit is issued and made subject to the following conditions:

- 1.) Plans of record are incorporated by reference in this permit as fully set forth herein.
- 2.) The wetland permit is subject to full compliance with the Town erosion and sediment requirements and shall be installed and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.
- 3.) The permit shall expire if not exercised within two (2) years from the date of issuance, or date of final resolution of any legal action challenging this permit. This permit shall not be assigned, transferred, sublet or sold to any other person without written permission of the Agency.

By this letter the IWWA is transmitting a notice of IWW permit approval. This notice is given to the West Hartford Town Clerk and to the State of Connecticut Department of Energy & Environmental Protection per the requirements of the Inland Wetlands and Watercourses Regulations.

If you have any questions regarding this letter, please feel free to contact the Planning Office at 860.561.7555.

Sincerely,



Kevin Ahern, Chairman
TPZ/IWWA

Cc: Ronald Van Winkle, Town Manager
Mark McGovern, Director of Community Services
Essie Labrot, Town Clerk
Todd Dumais, Town Planner
Duane Martin, Town Engineer
Brian McCarthy, Conservation & Environmental Commission
Department of Energy & Environmental Protection
Subject IWW File